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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) Criminal No.: 09 CR 0945 MHP  
14 Plaintiff, )  
15 v. )  
16 RICARDO ORELLANA ) [PROPOSED] ORDER EXCLUDING  
a/k/a Ricardo Arellana ) TIME FROM OCTOBER 19, 2009, TO  
a/k/a Ricardo Orellano ) NOVEMBER 23, 2009  
18 Defendant. )  
19 )  
20 \_\_\_\_\_

21 The parties appeared before the Honorable Marilyn Hall Patel on October 19, 2009. On  
22 the motion of the defendant, the Court found and held as follows:

23 1. An exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from October 19,  
24 2009, to November 23, 2009, in light of the need for continuity of counsel and effective  
25 preparation of the case by defendant's counsel. Failure to grant the requested continuance would  
26 unreasonably deny defense counsel reasonable time necessary for effective preparation, taking  
27 into account the exercise of due diligence and the need for counsel to conduct further  
28

[PROPOSED] ORDER EXCLUDING TIME  
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1 investigation. Failure to grant the requested continuance would also deny the defendant  
2 continuity of counsel.

3       2. Given these circumstances, the Court found that the ends of justice served by  
4 excluding the period from October 19, 2009 to November 23, 2009, outweigh the best interest of  
the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

5       3. Accordingly, and with the consent of the defendant, the Court ordered that the period  
6 from October 19, 2009 to November 23, 2009, be excluded from Speedy Trial Act calculations  
7 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

8  
9 DATED: October 19, 2009

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11 \_\_\_\_\_ /s/  
12 KATHRYN R. HAUN  
13 Assistant U.S. Attorney

14 \_\_\_\_\_ /s/  
15 JODI LINKER  
16 Assistant Federal Public Defender  
17 Counsel for Defendant

18 IT IS SO ORDERED.

19 DATED: October 23, 2009

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THE HON. MARILYN HALL PATEL  
United States District Court Judge